

**W<sub>2</sub>ASACT Meeting Minutes**  
**October 14th, 2008**  
**10:00 a.m. to 1:30 p.m.**  
**Department of Natural Resources and Conservation Building**  
**1625 11<sup>th</sup> Avenue**  
**Bannack Conference Room**

**MEMBERS PRESENT**

|                |            |                   |  |
|----------------|------------|-------------------|--|
| Todd Teegarden | DEQ/SRF    | Karen Sanchez     | USDA/RD  |
| Paul LaVigne   | DEQ/SRF    | Clay S. Landry    | USDA/RD  |
| Nancy Geary    | DEQ/SRF    | Steve Troendle    | USDA/RD  |
| Mark Smith     | DEQ/SRF    | Richard Knatterud | MDOC   |
| Bob Fischer    | DNRC       | John Camden       | MRWS   |
| Rick Duncan    | DNRC       | Nick Clos         | MRWS   |
| Anna Miller    | DNRC       | Nancy Cormier     | Morrison-Maierle                                 |
| Pam Smith      | DNRC/RRGL  | Shelly Nolan      | DEQ/PCD  |
| Alice Stanley  | DNRC/CARDD | Lesa Evers        | Gov Office/ECOPEUD                               |
| Pam Higgins    | MAP        | Dave Cole         | MDOC/Community<br>Development                    |
|                |            | Lorae Williams    | Gov Office/Indian<br>Affairs, Sted<br>Commission |

**CALL TO ORDER, SIGN-IN SHEET, AGENDA CHANGES**

The scheduled meeting of the Water, Wastewater, and Solid Waste Action Coordinating Team (W<sub>2</sub>ASACT) was called to order at 10:00 a.m., October 14, 2008, by Todd Teegarden, Chair. A sign-in sheet, agendas and minutes of the last meeting were made available to those in attendance. Anna Miller moved to approve the minutes; Mark Smith seconded the motion; the minutes were approved and adopted. There were no changes made to the agenda.

**Conference call with Matt Jennings from Senator Tester's office and David Cobb from Senator's Baucus's office about having the W<sub>2</sub>ASACT group provide recommendations for ranking the 26 projects on WRDA's list. They also provided an update on infrastructure bills in Congress now.**

**Following the call the group discussed the issue.** The main goal of the economic stimulus packages is to provide money for projects that are ready for construction in Montana. All the funding groups making up W<sub>2</sub>ASACT were asked to prioritize the 26 projects on the 2009 WRDA list with the information they already have in each program.. The 2008 and 2009 lists will be distributed, and each group should determine how the 2008 projects are doing and what their ranking is for the 2009 list. There will be a meeting on November 7<sup>th</sup> from 10:00 – 12:00 in the Bannock room of DNRC to share information, compare ranking lists, and come up with a group comment list to submit to the congressional offices, for their use in distributing funds. Each funding program should select one person to attend the meeting, and let Todd know that choice. He will forward the final list to Pam Smith. Steve Troendle would like to be included in the meeting through a conference call, as he will be in Missoula.

## **GUEST SPEAKER:**

Shelly Nolan, DEQ Public Water Supply Programs –Shelly gave an update on the status of hiring 12 new staff positions and the potential impact to communities in Montana.

The DEQ/IEMB Bureau (IEMB) [*Industrial and Energy Minerals*] is being moved to another building to make room for the new employees. The Public Water and Subdivision engineers will move upstairs to the space on the second floor of the Metcalf Building, which will be vacated by the IEMP. The DEQ/PWS/Compliance and Field Services will remain together on the main floor of the Metcalf Building.

The Field Services Program will add 9 new Environmental Specialists, to provide consistency between all sanitary surveys and field inspections. The entire program will be under the direction of the Helena office. The Department is currently 300 inspections behind, and has 170 high priority failed assessments to deal with. The goal is to have half of those determinations completed and submitted to EPA by November of next year. Also, the Department plans to help each system institute pre-planning, so they are able to meet future needs in a timely manner. This would potentially eliminate many systems from having to face costly enforcement actions. Shelly handed out charts showing the organization, including the new positions. She also gave out business cards so anyone with questions will know how to reach her.

A major priority is to identify all Ground Water Systems that may have ‘Significant Deficiency’ problems and help with putting together finances for needed upgrades to the systems.. It was suggested that the W<sub>2</sub>ASACT contact list be made available for helping with financing and information regarding spring workshops.

Hal Harper, from the Governor’s office, has also requested that the W<sub>2</sub>ASACT groups make an additional effort to increase outreach and technical assistance to communities at risk of enforcement.

The Department is working on a Health Alert Network on the DEQ website, which will be updated weekly, and will show current water test results for transient systems.

The funding for the continuation of this Department reorganization has to be approved by the next Legislature, but it seems likely they will agree. If they don’t, the State could potentially lose primacy of their drinking water rules to the EPA.

## **ITEMS FOR REVIEW AND DISCUSSION**

### **1. UPDATES (IF NEEDED) FROM SUBCOMMITTEES**

Workshops – Bob Fischer – There won’t be any workshops until next spring. If anyone has ideas on how to improve the workshops, please let Bob know. Keep in mind that it may take six months advance warning to book a hotel or facility to hold the workshop. It was suggested that tribal entities that currently have grants be invited to speak about obtaining those grants, in order to increase participation by the tribes. MAP and RW will provide information about the value of the workshops while working with tribal members. Emails could be sent using the W<sub>2</sub>ASACT contact list, to further distribute information about the workshops.

Standard Documents – Bob Fischer – Karen Sanchez requested a committee meeting, which was held, to discuss concerns about the following three issues:

- 1) New EJCDC 2007 edition has been released. However, the 2002 Edition is still being used by Rural Development and the Montana Contractor's Association.
- 2) Engineering Contracts have new reimbursement methods.
- 3) The committee discussed the role of consulting engineers providing a recommendation to a community regarding responsiveness and responsible-ness of the apparent low bidder. In one recent case, an engineer was concerned about making a determination about a bidder's responsible-ness. The standard process in that case is for the engineer to request the community's attorney provide an opinion.

The Commerce publication, “Build it Right” was recommended by the W<sub>2</sub>ASACT Group as a helpful reference for novice owners in planning their projects.

Uniform Application – Jim Edgcomb– (update on new documents) Did not attend meeting. No update.

Internet Website – Pam Smith – Still in planning phase.

## **2. UPDATES ON ONGOING TOPICS**

Emergency Projects – Bob Fischer / Richard Knatterud and others - Centerville School has a problem with fecal coliform contamination of their well.. So far no money has been requested, but it is expected they will need to in the near future. Pam Smith mentioned that she had referred calls from Brockton regarding an imminent failure of their lagoon to Bob and Richard.

Tribal Issues – Jim Edgcomb / Larry Gallagher and others - No report.

Regional Water Projects – Rick Duncan

### **Fort Peck - Dry Prairie**

Apollo Construction's progress on the clear wells and washwater recovery basin for the Regional water treatment plant (WTP) has slowed, according to a recent verbal report by Jim Forseth, Bureau of Reclamation's Project Engineer. They appear to be running about 4 months behind schedule. The work was to be complete by the end of 2008; now it appears that this contract won't be complete until early spring 2009, weather permitting.

Southern Valley County construction plans are proceeding slowly, but Dry Prairie and Boeing have agreed to the amount of water per day which will be provided, and have recently agreed in principle to the amount Boeing will charge DPRWA for the water. City of Glasgow and North Valley County Water & Sewer District will have first & second priority, respectively, for being supplied with water, but likelihood of water being supplied to Dry Prairie is growing.

Progress on Dry Prairie's other projects continues:

Review of the plans for the third filter bay installation at the Culbertson WTP is nearly complete, with DEQ and Dry Prairie now working out final details.

The McCabe loop project segment has been advertised for bids; this includes water service to the proposed Basin Electric peaking station.

The Fort Peck Tribes, Dry Prairie and Reclamation have agreed upon the route of the pipeline from the Culbertson WTP to the Big Muddy, and from the Big Muddy to the community of Fort Kipp. Dry Prairie has decided that it will advertise for bids for the construction segment which is its responsibility, once the remaining details are worked out.

The property transfer for the O&M Building is now complete, and the architectural plan for the Building is being readied for review.

### **Rocky Boy's – North Central**

The North Central Montana Authority continues planning for its first construction project -- to bring an interim regional water supply to North Havre County Water District from the City of Havre. The Authority has requested an overmatch of State funds from the TSEP Regional Water Fund, so that Federal monies which would have been dedicated to the project can be used for planning and design of future regional project segments.

The Chippewa-Cree Tribe, the Authority and DNRC are working on agreements to provide up to \$1 Million of TSEP RW funds for piping and related materials for the project to convey reverse osmosis (RO) plant water to three existing water storage tanks in serving water users in Box Elder area housing projects.

The Authority's annual meeting will take place in Shelby on Tuesday, October 20th. Also, on that day a legislative information luncheon will be held, which is one of approximately 10 scheduled to take place during October.

### **The Musselshell-Judith Rural Water Supply**

The most recent monthly board meeting was held in Roundup on September 24th. There was a Power Point presentation by Mark Cunane on an interim project summary for the Phase I Feasibility Report of an alternatives analysis for water supply. Given the huge estimated cost of piping all of the water for the project from a proposed well field at the Utica test well location, other potential well sites are once more being looked at. Several possible areas west of Judith Gap and Garneill have been proposed, including some in which flowing artesian wells may be possible. The Authority has launched a website. The address is: [www.centralmontanawater.com](http://www.centralmontanawater.com)

### **Dry-Redwater**

Work on the baseline environmental study for the proposed pipeline route from the site of the WTP to the Town of Circle continues. A governmental agency scoping meeting was held at the Corps of Engineers offices in the Town of Fort Peck on the 26th of August.

The Authority's bill for Federal authorization, introduced in Congress by Sen. Baucus in late July, will be carried forward into the 110th Congress, with subcommittee action taking place some time early in 2009.

WASACT Project Tracking Sheet – Jim Edgcomb – Todd Teegarden had talked to Jim and the updated sheet is in progress; Jim will bring copies to the December meeting. It will also be available on -line.

Army Corps of Engineers – Sect. 595 Program & Projects – Pam Smith – No report.

STAG project updates – Todd Teegarden – Lockwood finally passed their Bond Issue, so the project can progress. They have 2 STAG Grants and will be using SRF. They are planning about a \$20 million project over the next 3 years to do a basic trunk line and serve many needy neighborhoods.

#### **PROGRAM / PROJECT UPDATES – EVERYONE**

Dave Cole (CDBG) – There will be funding for demolition of abandoned homes. HUD does not expect it's funds to be used, as there are too many restrictions on its use. \$225,000 has been utilized for planning grants over the past 2 years. Each year sees more cuts in funding.

Richard Knatterud (TSEP) – Ranking of projects is in process.

Pam Smith (DNRC) - Last biennial's planning grant money was gone in the first six weeks. The request to the Legislature for funding needs to be increased (doubled).

Pam Higgins (MAP) – MAP is working with Wyoming to set up a group similar to W<sub>2</sub>ASACT in their state.

Nick Clos (MRWS) – Conference next Spring in February.

Alice Stanley (DNRC/CARRD) – List of 2008 Ranked Grant Applications by order of ranking recommendation was handed out.

Steve Troendle (USDA/RD) – Closed out the year with 15 projects funded.

Anna Miller (DNRC) - \$42 million in loans have been handled by the SRF Water and Wastewater Programs in the last year, and the need continues.

#### **OTHER ISSUES AND LOGISTICS OF NEXT MEETING**

The next meeting was scheduled for December 9, 2008 from 10:00 a.m. until approximately noon, hosted by the Department of Commerce.

#### **ADJOURNMENT**

Todd thanked DNRC for hosting the meeting. The meeting was adjourned at approximately 1:30 p.m.